

DIST/OFFICE	DOCKET YR. NUMBER	FILING DATE MO. DAY YEAR	J	N/S	O	R	R 23	S	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR. NUMBER
1085/4	75 0363	0808 75	3	850	1				20	8509	P	75 0363-B

PLAINTIFFS

DEFENDANTS

BAKER, Paul E.

VAN ALSTYNE ASSOCIATES, INC.,
MORGAN, Dudley D., and
VAN ALSTYNE, NOEL & CO.

CAUSE

15 USC Sec. 77A et seq. (Security Act of 1933) -Fraudulent sale of securities.
15 USC Sec. 78A et seq. (Security Act of 1934) -Fraudulent sale of securities.
Non-Security law claims (Pendent Jurisdiction) - Fraudulent sale of securities.

ATTORNEYS

Mr. Ted M. Riseling
Kothe, Nichols & Wolfe, Inc.
124 East 4th Street
Tulsa, Oklahoma 74103

918-584-5182

Per O of 5-4-77
Charles Peters Seger (for Morgan)
509 Philtower Bldg.,
Tulsa, Ok. 74103
(585-9430)

Alfred B. Knight
Atty. for Van Alstyne Assoe.
Inc., and Van Alstyne, Noel & Co
310 Beacon Bldg. 74103

James C. Lang (Morgan)
411 Thurston Natl. Bldg.
Tulsa, OK 74103 583-3145

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	9-1-75
				JS-6	8-1-77

DATE	NR.	PROCEEDINGS
8-8-75	1.	Complaint filed, summons issued. mm
8-29-75		Alias Summons, issued. lm
9-2-75	2	Answer of Dudley D. Morgan, filed. g
9-9-75	3	Pltf's <u>DEMAND FOR JURY TRIAL</u> , filed.k
9-11-75		U.S. Marshal's Service returned and filed. Executed by serving Mrs. Dudley D. Morgan on 8-12-75 (USM \$4.56)lm
9-11-75		U.S. Marshal's Service (Alias Summons) ret. & filed. Served Van Alstyne/ by serving Robert Reed, Sec/State of Delaware on 9-4-75 (USM \$15.28)lm Assoc.
9-11-75		Return on USM service, summons & complaint, filed. Served Van Alstyne, Noel & Co. by serving J. Russell, Managing Partner, at New York on 8-27-75 w/ fees of \$4.36. Ret. unserved on Van Alstyne Associates, Inc. w/ fees of \$12.28.k
9-26-75	4	Pltf's request to Clerk for entry of default as to defts. Van Alstyne Assoc. & Van Alstyne, Noel & Co., filed.k
9-26-75	5	Clerk's statement of Default as to defts. Van Alstyne Assoc. & Van Alstyne, Noel & Co., filed.k
9-26-75	6	Pltf's Motion for Default Judgment by the Court as to defts. Van Alstyne Assoc. & Van Alstyne, Noel & Company, filed.k
9-26-75	7	Pltf's brief in support of mot. for default judgment by the Court, filed.k
10-24	MO	Case set for hearing on 11-5-75 at 10:00 a.m. on Pltf's mot. for Judgment by Default by Court as to Defts. Van Alstyne Assoc. & Van Alstyne, Noel & Co. (AEB-J)k cps mld
10-28	8	Notice of Hearing on Pltf's Mtn. for Default Judgment, filed.jj
11-5-75		Case called for hearing on pltf's motion for Judgment by default. Parties represented. Mr. Riseling makes statement & requests continuance of hearing. Hearing is passed to 11-11-75, at 10:00 A.M. Pltf. to notify parties & prepare order in 3 days.(AEB-J)b
11-6	9.	Order, filed, continuing hrg. re pltf's mot. for default judgment until 11-11-75 at 10:00 a.m. (AEB-J)k cps mld
11-7	10.	Pltf's notice to Defts. Van Alstyne Assoc., & Van Alstyne, Noel & Co. of hrg re mot. for default on 11-11-75 at 10:00 a.m., filed.k cps by cert mail
11-11	MO	Case called for hrg. on pltf's mot. for default judgment as to Defts. Van Alstyne Assoc. & Van Alstyne, Noel & Co. Pltf. represented. Defts. not present or represented. Pltf's mot. is sustained. Pltf. makes statement re amount due for services: judgment in amt. of \$9,243.00, atty. fee in amt. of \$3,000.00, & \$35.00 costs. Attorney Stephanie Seymour placed under oath & states Riseling's request for atty. fee is reasonable. Attorney Todd Markum placed under oath and concurs with S. Seymour's statement. Fees and costs allowed by Court. Pltf. to present Order within three (3) days. (AEB-J)k
11-13	11	Default Judg. filed and entered that pltf. Baker recover from defts VanAlstyne, Noel & Co., and Van Alstyne Assc. the sum of \$9,243. + int. at the rate of 6% from date of investment + cost of action of \$35.00 + atty. fee of \$3,000(AEB-J)jj
11-20	12	Mo. of Defts, Van Alstyne Assoc., Inc., and Van Alstyne, Noel & Co. to set aside default judg. filed. tc

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-363</u>
BAKER		C VAN ALSTYNE ASSOC. INC., DUDLEY D. MORGAN & VAN ALSTYNE, NOEL & CO.	PAGE <u>3</u> OF <u>2</u> PAGES
DATE	NR.	PROCEEDINGS	
1975			
11-20	13	Brief in support of Mo., filed. tc	
11-21	Mo.	It is ord. by the court that plt., is granted 10 days from this dt. to resp. to defts., Van Alstyne Associates, Inc., and Van Alstyne, Noel and Co., Mo to set aside default judg., tc lts mld.	
12-1	14.	Pltf's brief in response to defts' motion to set aside default judgment and appl. for order requiring defts. to reimburse pltf. and post security, filed. ph	
12-15	MO:	It is ordered by the Ct. that the defts. file a responsive brief within 10 days to Pltf's appl. for order requiring defts to reimburse pltf. and post security. (AEB-J)ph ltrs.mld.	
12-29	15.	Deft. Morgan's response to Pltf.'s appl. for order requiring defts to reimburse pltf. and post security, filed. ph	
<u>1976</u>			
1-6	16.	Appl. of defts. Van Alstyne Asso., Inc. and Van Alstyne, Noel & Co. for ext. of time in which to respond to Pltf's appl. for order requiring defts. to reimburse pltf. and post security, filed. ph	
1-7	17.	Order, filed, granting defts. Van Alstyne Asso., Inc. and Van Alstyne, Noel & Co. until 1-26-76 to file responsive brief to Pltf's appl. for order requiring defts. to reimburse pltf. and post security. (AEB-J)ph cps. mld.	
1-12	MO	Case referred to Mag. Bradford for F&R re pending motions. (AEB-J)k	
1-12	18	Pltf's interrog. to deft. Van Alstyne, Noel & Co., filed.k	
1-12	19	Pltf's interrog. to deft. Van Alstyne Assoc., Inc., filed.k	
1-13-76	20.	Mo. of Counsel, Knight & Wagner, to withdraw, filed. ph <i>otug.</i>	
2-25	MO	Case set for hrg. on defts. Van Alstyne's mots. to set aside default judgment before Mag. Bradford on 3-17-76 at 11:00 a.m. (MLB-Mag)k ntcd by KT	
3-17	MO	Case called for hrg. before Mag. on mot. to set aside default judgment. Pltf counsel present. Deft. not present and not represented. Mag. finds that mot. should be denied. Pltf. counsel to prepare F&R and formal order w/in 10 days.. (MLB-Mag)k	
3-19	21	Findings and Recommendations of Mag., filed. (MLB-Mag)k cps mld	
5-17	22.	Order, filed, that the Mot. of Defts. Van Alstyne, Noel & Co. to Set Aside Default Judgment is Denied. (AEB-J)v -cps. mld.	
5-18	MO	The Court has for consideration the mot. of Knight & Wagner to withdraw as attys for defts. Van Alstyne Assoc. & Van Alstyne, Noel & Co., and having been advised by pltf. counsel that he has no objection, IT IS ORDERED that the mot. be sustained and said attys be allowed to withdraw as deft. counsel of record. (AEB-J)k cps mld	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1976			
6-22	MO:	Parties are directed to hold PT conf. on or before 8-5-76 & file PT Order on or before 8-11-76. (AEB-J)k cps by cert ml	
7-23	23.	Appl. of Deft. to reset pretrial, fld. v (o)	
7-27	24.	Order, filed, granting deft's appl. to strike pre-trial setting, and re-setting for pre-trial on 12-31-76. (AEB-J)k cps mld	
12-29	25.	Deft. Dudley D. Morgan's motion for enlargement of time to file pre-trial order, filed.s O to J	
1977			
1-7	26.	Order, filed, granting deft. Dudley D. Morgan until 3-31-77 to file Pre-Trial order.s (AEB-J) cys. mld.	
4-14	27	Deft. Dudley D. Morgan mot. for enlargement of time to file PT order. fld. O to J. ho	
4-14	MO	The Court has for consideration the motion for enlargement of time to file pretrial order to and including 6-30-77, filed by the deft., Dudley D. Morgan, and being fully advised in the premises, finds that said motion should be granted. (AEB-J)lm ltrs mld.	
4-26	28	Charles Seger Appl. to withdraw as atty. of record. fld. O to J. ho	
5-4	29	Order, fld. allowing Charles Peters Seger to w/draw as atty. of record for Dudley D. Morgan. (AEB-J) cps mld. ho	
7-15	30	Stip. of Dismissal, filed and entered. lm	